

Message Text

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PAGE 01 STATE 121594

ORIGIN OES-07

INFO OCT-01 EUR-12 ISO-00 EB-07 EPA-04 SIG-02 MMO-04

AID-05 CEQ-01 CIAE-00 ERDA-07 COME-00 DODE-00

INR-07 IO-13 L-03 NSF-02 NSC-05 NSAE-00 PM-04

USIA-15 SS-15 SP-02 FEAE-00 INT-05 PRS-01 PA-02

OIC-02 /126 R

DRAFTED BY OES/ENP/EN:PJGLASOE:EF

APPROVED BY OES/ENP/EN:HSPIELMAN

EUR/RPE:DSWARTZ (SUBS)

EPA:PFULLER (SUBS)

EB/STA:GWHITE (SUBS)

EPA:LMILLER

-----261548Z 054326 /56

R 261239Z MAY 77

FM SECSTATE WASHDC

TO ALL OECD CAPITALS

UNCLAS STATE 121594

E.O. 11652: NA

TAGS: SENV, OECD

SUBJECT: U.S. REGULATIONS DEALING WITH DISPOSAL AND
MARKING OF TOXIC CHEMICALS IN PCB CLASS

REF: STATE 269736 (76)

1. NEW U.S. TOXIC SUBSTANCES CONTROL ACT (TSCA - REFTTEL)
CONTAINS A SPECIAL SECTION DEALING WITH POLYCHLORINATED
BIPHENYLS (PCBS). (PCBS ARE WIDELY USED AS DIELECTRIC
AND HEAT TRANSFER FLUIDS AND ARE CURRENTLY USED PRIMARILY
IN CAPACITORS AND TRANSFORMERS. THERE ARE SOME 750
MILLION POUNDS OF PCBS CURRENTLY IN SERVICE IN THE U.S.)
A VERY TIGHT TIMESCALE IS SET IN THE LAW FOR THE CONTROL
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PAGE 02 STATE 121594

OF THESE SUBSTANCES AND THEIR ULTIMATE PHASEOUT. THE
FIRST STAGE IN THE LEGISLATED PROCESS OCCURS JULY 1, 1977,
WHEN THE ENVIRONMENTAL PROTECTION AGENCY MUST HAVE IN
PLACE PRESCRIBED METHODS FOR DISPOSAL OF PCBS,
AND RULES REQUIRING PCBS TO BE APPROPRIATELY MARKED WITH
WARNING LABELS.

2. ON MAY 24, EPA PUBLISHED IN THE FEDERAL REGISTER PROPOSED REGULATIONS ADDRESSING THESE TWO ISSUES. THE PROPOSALS ON THE MARKING OF PCBS AND PCB-CONTAINING ARTICLES SHOULD BE OF IMMEDIATE INTEREST TO ALL MANUFACTURERS OF SUCH PRODUCTS WHO EXPORT TO THE UNITED STATES. THE PROPOSED MARKING REGULATIONS ARE QUITE COMPREHENSIVE AND WOULD HAVE AN EFFECTIVE DATE OF JANUARY 1, 1978, AFTER WHICH TIME ALL ARTICLES CONTAINING PCBS WHICH ARE MANUFACTURED OR IMPORTED INTO THE U.S. WOULD HAVE TO BEAR A SPECIFIED WARNING LABEL. WHILE THOSE REGULATIONS DEALING WITH DISPOSAL WILL NOT BE OF SUCH URGENT INTEREST TO NON-U.S. SOURCES, THEY SHOULD NONETHELESS BE OF CONSIDERABLE GENERAL INTEREST, ESPECIALLY IN COUNTRIES WHERE THIS DIFFICULT ISSUE HAS NOT BEEN SERIOUSLY ADDRESSED.

3. PURSUANT TO AGREEMENT REACHED IN THE OCTOBER MEETING OF THE OECD ENVIRONMENT COMMITTEE'S CHEMICALS GROUP, COPIES OF THE PROPOSED EPA REGULATIONS ARE BEING SENT DIRECTLY TO THE DESIGNATED PCB "FOCAL POINTS" WHICH WERE ESTABLISHED IN EACH INTERESTED COUNTRY REPRESENTED IN THE CHEMICALS GROUP. THIS "NOTIFICATION" PROCEDURE WOULD PRESUMABLY SUFFICE WERE IT NOT FOR THE FACT THAT COMMENTS ON THE PROPOSED REGULATIONS MUST BE RECEIVED BY EPA NO LATER THAN JUNE 22, AND THAT A PUBLIC HEARING WILL BE HELD ON JUNE 24. IN VIEW OF THE SHORT TIME AVAILABLE TO INTERESTED PARTIES AND OUR DESIRE TO GIVE THEM AS REASONABLE AN OPPORTUNITY TO COMMENT AS POSSIBLE, AN ADDITIONAL EFFORT TO INFORM HOST OFFICIALS IS DEEMED DESIRABLE.

UNCLASSIFIED

UNCLASSIFIED

PAGE 03 STATE 121594

4. ACTION REQUESTED: ADDRESSEES ARE THEREFORE REQUESTED TO ADVISE APPROPRIATE HOST OFFICIAL(S) OF THE EXISTENCE OF THE PROPOSED EPA REGULATIONS ON DISPOSAL AND, ESPECIALLY, MARKING OF PCBS AND PCB-CONTAINING PRODUCTS; THE LIMITED TIME FOR COMMENTS (DUE TO THE TIGHT DEADLINE OF THE LAW); AND THE DIRECT TRANSMITTAL TO THE PCB FOCAL POINT (DESIGNATED UNDER THE UMBRELLA OF THE OECD CHEMICALS GROUP) OF COPIES OF THE PROPOSED REGULATIONS. HOST OFFICIALS MAY ALSO BE ADVISED THAT, TO SAVE TIME, ANY COMMENTS ON THE PROPOSED REGULATIONS WHICH THEY ARE ABLE TO PASS TO THE (U.S.) CHAIRMAN OF THE OECD CHEMICALS GROUP AT THE GROUP'S JUNE 14-16 MEETING WILL BE PASSED BY HIM DIRECTLY TO THE APPROPRIATE EPA OFFICE.

5. U.S. MISSION OECD: PLEASE CONVEY PRECEDING TO MS. IDMAN OF OECD SECRETARIAT, FOR HER INFORMATION: VANCE

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NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
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Control Number: n/a
Copy: SINGLE
Sent Date: 26-May-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01-Jan-1960 12:00:00 am
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
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Document Unique ID: 00
Drafter: PJGLASOE:EF
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Expiration:
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